

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

TECSEC, INCORPORATED,

Plaintiff,

Case No. 1:10-cv-115-LMB/TCB

v.

JURY TRIAL DEMANDED

**INTERNATIONAL BUSINESS MACHINES
CORPORATION, SAS INSTITUTE, INC.,
SAP AMERICA, INC., SAP AG, CISCO
SYSTEMS, INC., SUN MICROSYSTEMS,
INC., SYBASE, INC., SOFTWARE AG
USA, INC., SOFTWARE AG, INC., ADOBE
SYSTEMS INCORPORATED, EBAY INC.,
PAYPAL, INC., AND ORACLE
CORPORATION,**

Defendants.

**CONSENT MOTION TO EXTEND TIME TO FILE PLAINTIFF TECSEC
INCORPORATED'S OPPOSITION BRIEF TO DEFENDANT EBAY, INC.'S MOTION
TO DISMISS TECSEC'S SECOND AMENDED COMPLAINT OR, IN THE
ALTERNATIVE, MOTION FOR JUDGMENT ON THE PLEADINGS**

Pursuant to Local Rule 7(F) and 7(I), Plaintiff TecSec, Incorporated ("TecSec"), with consent of Defendant eBay, Inc. ("eBay"), hereby respectfully requests that it have until August 9, 2010 to file its opposition brief to eBay's Motion to Dismiss TecSec's Second Amended Complaint or, In the Alternative, Motion for Judgment on the Pleadings. In support of its consent motion, TecSec states as follows:

1. TecSec timely filed a Second Amended Complaint for Patent Infringement on July 6, 2010 (Dkt. No. 214).
2. On July 23, 2010, eBay filed a Motion to Dismiss TecSec's Second Amended Complaint or, In the Alternative, Motion for Judgment on the Pleadings ("Motion to Dismiss")

(Dkt. No. 248). On the same date, eBay filed a Notice of Hearing for argument on the Motion to Dismiss for August 27, 2010 (Dkt. No. 250).

3. Without extension, TecSec's opposition brief is currently due on August 6, 2010. However, because one of the primary attorneys for TecSec who will be preparing the opposition brief has been traveling the past week and will be traveling on August 6, 2010, counsel for TecSec requested that eBay consent to an extension until August 9, 2010. eBay consented, so long as it would have until August 17, 2010 to file its reply brief. TecSec agreed to eBay's request.

4. The hearing date for the Motion to Dismiss is currently noticed for August 27 2010. Accordingly, if the requested extensions are granted, the motion will be fully briefed more than a week prior to argument.

WHEREFORE, TecSec respectfully requests that the Court set the deadline for: (1) TecSec's opposition brief to August 9, 2010, (2) eBay's reply brief to August 17, 2010, and (3) grant any further relief as this Court deems just and proper.

Dated: August 5, 2010

Respectfully submitted,

By: /s/ Brian M. Buroker
Richard L. Wyatt, Jr. (*pro hac vice*)
Michael A. O'Shea (*pro hac vice*)
Brian M. Buroker (VSB #39581)
Michael A. Oakes (VSB #47245)
Ryan P. Phair (*pro hac vice*)
HUNTON & WILLIAMS LLP
1900 K Street, N.W.
Washington, D.C. 20006-1109
Telephone: (202) 955-1500
Facsimile: (202) 778-2201

Thomas J. Cawley (VSB #04612)
Steven M. Sayers (VSB #23066)
HUNTON & WILLIAMS LLP
1751 Pinnacle Drive, Suite 1700
McLean, Virginia 22102
Telephone: (703) 714-7400
Facsimile: (703) 714-7410

Service Email: tecsec@hunton.com

Andrew G. DiNovo (*pro hac vice*)
Jay D. Ellwanger (*pro hac vice*)
Raymond W. Mort, III (*pro hac vice*)
Adam G. Price (*pro hac vice*)
**DINOVO PRICE ELLWANGER
& HARDY LLP**
7000 N. MoPac Expressway, Suite 350
Austin, Texas 78731
Telephone: (512) 539-2626
Facsimile: (512) 539-2627

Service Email: tecsec@dpelaw.com

Attorneys for Plaintiff TecSec, Incorporated

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of August, 2010, the foregoing CONSENT MOTION TO EXTEND TIME TO FILE PLAINTIFF TECSEC INCORPORATED'S OPPOSITION BRIEF TO DEFENDANT EBAY, INC.'S MOTION TO DISMISS TECSEC'S SECOND AMENDED COMPLAINT OR, IN THE ALTERNATIVE, MOTION FOR JUDGMENT ON THE PLEADINGS was electronically filed with the Clerk of the Court using the CM/ECF system which will issue an electronic notification of filing to the following:

Attorneys for eBay Inc. and PayPal, Inc.

Sarah Hall
George Pappas
Gary Rubman
Covington & Burling LLP
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Attorneys for International Business Machines Corporation:

John M. Desmarais
Desmarais LLP
230 Park Avenue
New York, NY 10169

Service Email: jdesmarais@desmaraisllp.com

Jon Hohenthanner
Kirkland & Ellis LLP
601 Lexington Avenue
New York, NY 10022

Elizabeth Bernard
Kirkland & Ellis LLP
655 15th Street, N.W.
Washington, D.C. 20006

Craig C. Reilly
Law Office of Craig C. Reilly
111 Oronoco Street
Alexandria, VA 22314

Service Email: IBMCounsel@kirkland.com

/s/ Brian M. Buroker

Brian M. Buroker (VSB #39581)

Hunton & Williams, LLC

1900 K Street, N.W.

Washington, D.C. 20006

Phone: (202) 955-1500

Facsimile: (202) 778-2201

bburoker@hunton.com

Attorney for TecSec, Incorporated